



PATENT
5787-01302

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors believe they are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **STATIONARY TYPE OF EXERCISE APPARATUS THAT ENABLES MOVEMENT OF THE USER'S FEET IN A RECIPROCATING MOTION**, the specification of which:

is attached herewith.
 was filed on July 1, 2003 as Application Serial No. 10/611,497.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

			<u>Priority Claimed</u>
<u>PCT/US99/30935</u>	<u>PCT</u>	<u>December 22, 1999</u>	<u>Yes</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Date Filed)</u>	
<u>N/A</u>			<u>Yes/No</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Date Filed)</u>	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/674,322</u>	<u>July 7, 2001</u>	<u>Issued</u>
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status)</u>
<u>N/A</u>		<u>Pending</u>
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status)</u>

I hereby claim the benefit under title 35, United States code §119(e) of any United States provisional application(s) listed below:

N/A (Application Serial No.)	(Filing Date)
N/A (Application Serial No.)	(Filing Date)

Please address all correspondence in connection with this application to: 1) customer number 35690; and 2)

Eric B. Meyertons
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. Box 398
Austin, Texas 78767-0398
Ph: (512) 853-8800

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Robert E. Rodgers, Jr.

Inventor's Signature: Robert E. Rodgers Date: 5/27/04

Country of Residence: United States Citizenship: U.S.

Residence Address: 974 Krieger Point Drive, Canyon Lake, TX, 78133
(Include number, street name, city, state and zip code)